

**AMENDMENTS TO THE CLAIMS:**

Please amend the claims, as follows.

1. (Previously presented) A method of estimating a cost related to at least one of computer software development, computer software maintenance, and information technology services, said method comprising:

reading a sample of computer code in accordance with a sampling technique;

categorizing samples of at least one computer sampling into categories of complexity;

and

calculating a cost for a larger subset of the computer code from said sampling;

wherein at least one of said reading, said sampling, and said calculating is executed on a computer.

2. (Original) The method of claim 1, wherein said cost is for at least one of:

porting said software to another platform;

maintenance of said software;

application portfolio management of said software; and

legacy transformation of said software.

3. (Original) The method of claim 1, further comprising at least one of:

calculating a variability of said cost due to sampling error; and

calculating a probability that said cost will be lower than the cost that would have been estimated by using a sample including 100% of the code.

4. (Currently amended) The method of claim 1, wherein said categorizing at least one computer sampling comprises categorizing each computer sampling into one of  $N$  categories of complexity,  $N$  being an integer greater than 1 and wherein said cost calculation comprises:

$$Cost = \left( \sum_x C_x \times I_x \right) \times \left( \frac{TotalSize}{SamplingSize} \right),$$

where  $C_x$  is an estimation of cost for complexity category  $x$ ,  $I_x$  is a complexity estimate for category  $x$ ,  $TotalSize$  is a total size of the source code, and  $SamplingSize$  is a size of the computer samplings, where  $1 \leq x \leq N$ .

5. (Original) The method of claim 1, further comprising:

reading into a computer at least one of a rule by which said sampling is to be executed, and cost parameters to be used for said calculating.

6. (Original) The method of claim 4, wherein said categorizing comprises at least one of:

a user-assisted technique in which a user enters a category for each said sampled computer code lines; and

an automated technique in which a software tool parses each said sampled computer code line and generates a category for each parsed computer code line.

7. (Original) The method of claim 1, wherein said sample is taken using at least one of:

simple random sampling;

cluster sampling; and

stratified sampling.

8. (Original) The method of claim 1, wherein the sample includes at least one of:

- a line of code;
- a file or module from an application or set of applications;
- an initial part of a file or a module from an application or set of applications; and
- an application from a set of applications.

9. (Currently amended) A method of estimating necessary amounts of resources for an effort related to at least one of computer software development, computer software maintenance, and information technology services, said method comprising:

- reading a sample of computer code in accordance with a sampling technique;
- categorizing samples of at least one computer sampling into categories of complexity;
- calculating resources for a larger subset of the computer code from said sampling, as including a factor for said complexity,
- wherein at least one of said reading, said sampling, said categorizing, and said calculating is executed on a computer.

10. (Original) The method of claim 9, wherein said resources are for at least one of:

- porting said software to another platform;
- maintenance of said software;
- application portfolio management of said software; and
- legacy transformation of said software

11. (Original) The method of claim 9, further comprising at least one of:

- calculating one or more variabilities of said amounts of resources due to sampling error; and

calculating a probability that said amount of resources will be less than the amounts of resources that would have been estimated by using a sample including 100% of the code.

12. (Original) The method of claim 9, further comprising:

categorizing each computer sampling into one of N categories of difficulty, N being an integer greater than 1.

13. (Original) The method of claim 9, further comprising:

reading into a computer at least one of a rule by which said sampling is to be executed, and resource parameters to be used for said calculating.

14. (Original) The method of claim 9, further comprising:

creating at least one of a resource plan and a work breakdown structure based on the calculated resources.

15. (Original) The method of claim 11, further comprising:

creating a risk management plan based on calculated risk parameters.

16. (Original) The method of claim 12, wherein said categorizing comprises at least one of:

a user-assisted technique in which a user enters a category for each said sampled computer code lines; and

an automated technique in which a software tool parses each said sampled computer code line and generates a category for each parsed computer code line.

17. (Original) The method of claim 9, wherein said sample is taken using at least one of:

simple random sampling;

cluster sampling; and

stratified sampling.

18. (Original) The method of claim 9, wherein the sample includes at least one of

a line of code;

a file or a module from an application or set of applications;

an initial part of a file or a module from an application or set of applications; and

an application from a set of applications.

19. (Currently amended) A business method comprising at least one of:

estimating a cost for an effort related to at least one of computer software

development and information technology (IT) services, said estimating method comprising:

sampling computer code in accordance with a sampling technique;

categorizing samples of at least one computer sampling into categories of complexity;

calculating said cost for a larger subset of the computer code from said computer code from said sampling; and

calculating at least one of a risk probability and an estimation precision for said cost,

wherein at least one of said reading, said sampling, and said calculating is executed on a computer;

providing a result of said calculating to a party; and

receiving said result of said calculating.

20. (Original) The business method of claim 19, wherein said effort comprises at least one of:

- porting said software to another platform;
- maintenance of said software;
- application portfolio management of said software; and
- legacy transformation of said software.

21. (Previously presented) A business method comprising at least one of:

estimating a necessary amount of resources for an effort related to at least one of computer software development and information technology (IT) services, said estimating method comprising:

- sampling computer code in accordance with a sampling technique;
- categorizing at least one computer code sampling into categories of complexity;
- calculating said necessary amount of resources for a larger subset of the computer code from said computer code from said sampling; and
- calculating at least one of a risk probability and an estimation precision for said estimate of amount of resources,

wherein at least one of said reading, said sampling, and said calculating is executed on a computer;

- providing a result of said calculating to a party; and
- receiving said result of said calculating.

22. (Original) The business method of claim 21, wherein said effort comprises at least one of:

- porting said software to another platform;
- maintenance of said software;
- application portfolio management of said software; and
- legacy transformation of said software

23. (Previously presented) An apparatus to estimate at least one of a cost and an amount of necessary resources for an effort related to computer software development, computer software maintenance, and information technology services, said apparatus comprising:

- a memory to store a computer code involved in an effort related to software development;
- a graphic user interface to allow said computer code to be selected and categorized into categories of complexity; and
- a sampling module to allow said computer code to be sampled in accordance with a sampling technique.

24. (Original) The apparatus of claim 23, wherein said effort comprises one of:

- porting said computer code to another platform;
- maintaining said computer code;
- performing application portfolio management on said computer code; and
- performing legacy transformation on said code.

25. (Previously presented) A computer readable storage medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform a method of estimating at least one of a cost and a necessary amount of resources for an effort related to computer software development, computer software maintenance, and information technology services, said method comprising:

- reading a section of computer code;
- sampling said computer code in accordance with a sampling technique;
- categorizing at least one computer code sampling into categories of complexity; and
- using said sampling to calculating said at least one of cost and amount of resources for a larger subset of the computer code from said computer code from said sampling,

wherein said sampling, and said calculating is executed on a computer.

26. (Previously presented) The computer readable storage medium of claim 25, wherein said effort comprises one of:

- porting said computer code to another platform;
- maintaining said computer code;
- performing application portfolio management on said computer code; and
- performing legacy transformation on said code.

27. (Previously presented) An apparatus to estimate a cost for an effort related to computer software development, computer software maintenance, and information technology services, said apparatus comprising:

- means for storing a computer code involved in an effort related to software development;
- means for allowing said computer code to be selected;



means for allowing said computer code to be sampled in accordance with a sampling technique;

means for categorizing sampled computer code into categories of complexity; and

means for calculating a cost for said sampled computer code.

28. (Original) The apparatus of claim 27, wherein said effort comprises one of:

porting said computer code to another platform;

maintaining said computer code;

performing application portfolio management on said computer code; and

performing legacy transformation on said code.

29. (Original) The apparatus according to claim 27, further comprising:

means for calculating said cost for a larger subset of the computer code from said computer code from said sampling.

30. (Original) The apparatus according to claim 29, further comprising:

means for calculating at least one of a risk probability and an estimation precision for said cost.

31. (Currently amended) The apparatus of claim 27, wherein said means for categorizing sampled computer code comprises:

means for categorizing each computer sampling into one of  $N$  categories of difficulty,

$N$  being an integer greater than 1 and wherein said cost is calculated as:

$$Cost = \left( \sum_x C_x \times I_x \right) \times \left( \frac{TotalSize}{SamplingSize} \right),$$

where  $C_x$  is an estimation of cost for complexity category  $x$ ,  $I_x$  is a complexity estimate for category  $x$ ,  $TotalSize$  is a total size of the source code, and  $SamplingSize$  is a size of the computer samplings, where  $1 \leq x \leq N$ .

32. (Previously presented) An apparatus to estimate an amount of necessary resources for an effort related to computer software development, computer software maintenance, and information technology services, said apparatus comprising:

means for storing a computer code involved in an effort related to software development;

means for allowing said computer code to be selected;

means for allowing said computer code to be sampled in accordance with a sampling technique;

means to allow said computer code sampling to be categorized into categories of complexity; and

means to calculate necessary resources based on said computer code sampling.

33. (Original) The apparatus of claim 32, wherein said effort comprises one of :

porting said computer code to another platform;

maintaining said computer code;

performing application portfolio management on said computer code; and

performing legacy transformation on said code

34. (Original) The apparatus according to claim 32, further comprising:

means for calculating said amount of necessary resources for a larger subset of the computer code from said computer code from said sampling.

35. (Original) The apparatus according to claim 32, further comprising:

means for calculating at least one of a risk probability and an estimation precision for said amount of necessary resources.

36. (Previously presented) The apparatus of claim 32, wherein said means for allowing said computer code to be categorized allows each computer sampling to be categorized into one of N categories of complexity, N being an integer greater than 1.

37. (Original) A method for deploying computing infrastructure, comprising integrating computer-readable code into a computing system, wherein the code in combination with the computing system is capable of performing the method of claim 1.

38. (Original) A method for deploying computing infrastructure, comprising integrating computer-readable code into a computing system, wherein the code in combination with the computing system is capable of performing the method of claim 9.

39. (Previously presented) A method of estimating a cost related to at least one of computer software development, computer software maintenance, and information technology services, said method comprising:

reading one or more samples of computer code in accordance with a sampling technique;

categorizing each computer sampling into one of N categories of difficulty, N being an integer greater than 1, wherein said categorizing comprises at least one of:

a user-assisted technique in which a user enters a category for each said sampled computer code lines; and

an automated technique in which a software tool parses each said sampled computer code line and generates a category for each parsed computer code line; and

calculating a cost for a larger subset of the computer code from said sampling,

wherein at least one of said reading, said sampling, and said calculating is executed on a computer.